

1 Filed by: Merits Panel
2 Mail Stop Interference
3 P.O. Box 1450
4 Alexandria Va 22313-1450
5 Tel: 571-272-4683
6 Fax: 571-273-0042

Paper 38

Entered: 6 February 2007

7
8 UNITED STATES PATENT AND TRADEMARK OFFICE

9
10
11 BEFORE THE BOARD OF PATENT APPEALS
12 AND INTERFERENCES

13
14
15 KATHERINE L. MOLNAR-KIMBER,
16 CRAIG E. CAUFIELD, and
17 TIMOTHY D. OCAIN
18 Junior Party
19 (Application 09/576,951),

20
21 v.

22
23 RICHARD SEDRANI
24 and VALERIE QUESNIAUX
25 Senior Party
26 (Patent 6,635,745).

27
28
29 Patent Interference No. 105,429
30 (Technology Center 1600)

31
32
33
34 Before McKelvey, Senior Administrative Patent Judge, and Lane, and
35 Moore, Administrative Patent Judges.

36
37 Lane, Administrative Patent Judge.

38
39 Judgment-Bd.R. 127

Count 2 has been substituted for Count 1. (Decision, Paper 36 and Redeclaration, Paper 37). Sedrani requests adverse judgment as to Count 2. (See Paper 23).

Upon consideration of the record of the interference and for reasons given, it is

ORDERED that judgment on priority as to Count 2, the sole count of the interference, is entered against senior party RICHARD SEDRANI and VALERIE QUESNIAUX;

FURTHER ORDERED that senior party RICHARD SEDRANI and VALERIE QUESNIAUX is not entitled to a patent containing claims 1-4 of patent 6,635,745, which claims correspond to Count 2;

FURTHER ORDERED that, if there is a settlement agreement, the parties are directed to 35 USC §135(c) and Bd. R. 205; and

FURTHER ORDERED that a copy of this judgment, the Redeclaration (Bd. R. 203(c)) (Paper 37), and the Decision (Bd. R. 125(a)) (Paper 36) shall be entered into the administrative records of the Molnar-Kimber application 09/576,951 and Sedrani patent 6,635,745.

1	<u>/ss/ Fred E. McKelvey</u>)	
2	FRED E. McKELVEY)	
3	<i>Senior Administrative Patent Judge</i>)	
4)	BOARD OF
5	<u>/ss/ Sally Gardner Lane</u>)	PATENT
6	SALLY GARDNER LANE)	APPEALS
7	<i>Administrative Patent Judge</i>)	AND
8)	INTERFERENCES
9	<u>/ss/ James T. Moore</u>)	
10	JAMES T. MOORE)	
11	<i>Administrative Patent Judge</i>)	
12			

13

14

15

16

17 cc (electronic filing):

18

19 Counsel for MOLNAR-KIMBER:

20

21 Gordon Kit, Esq.
 22 SUGHRUE MION ZINN MACPEAK & SEAS PLLC
 23 2100 Pennsylvania Avenue, N.W., Suite 800
 24 Washington, D.C. 20037-3202
 25 gkit@sughrue.com
 26 mhayman@sughrue.com

27

28 Counsel for SEDRANI:

29

30 Dimitrios T. Drivas, Esq.
 31 WHITE & CASE LLP
 32 1155 Avenue of the Americas
 33 New York, New York 10036
 34 ddrivas@whitecase.com
 35 lmorioka@whitecase.com
 36 jscheibeler@whitecase.com